

ATTORNEY GENERAL[61]

Notice of Intended Action

**Proposing rule making related to annual notification fees
and providing an opportunity for public comment**

The Attorney General hereby proposes to amend Chapter 22, "Notification and Fees," Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 537.6117.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 537.6203.

Purpose and Summary

The proposed amendment reflects a change in the notification fee that creditors engaged in consumer credit transactions are required to pay annually. The proposed amendment is in response to 2017 Iowa Acts, chapter 138, section 23, which amended Iowa Code section 537.6203 by increasing the annual notification fee from \$10 to \$50. This proposed amendment would conform subrule 22.5(1) with Iowa Code section 537.6203.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa. The Attorney General has been collecting a \$50 annual fee since 2018 as required by Iowa Code section 537.6203. The proposed amendment simply seeks to bring subrule 22.5(1) in line with the requirements of Iowa Code section 537.6203.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Attorney General for a waiver of the discretionary provisions, if any.

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Attorney General no later than 4:30 p.m. on February 4, 2020. Comments should be directed to:

Jessica Whitney
Office of the Attorney General of Iowa
Hoover State Office Building
1305 East Walnut Street
Des Moines, Iowa 50319
Email: jessica.whitney@ag.iowa.gov

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action is proposed:

Amend subrule 22.5(1) as follows:

22.5(1) *Annual fees.* All creditors and debt collectors, including assignees, who are required to file notification statements shall pay to the administrator an annual fee of ~~\$10~~ \$50. This fee shall be paid with the filing of the first notification and on or before January 31 of each succeeding year.